



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,994	08/21/2001	Elijahu Shapira	3561-106	9111
20575	7590	08/16/2006	EXAMINER	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			JACOBS, LASHONDA T	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/934,994	SHAPIRA, ELIJAHU	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 28, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action in response to Applicant's Appeal Brief filed on April 28, 2006. The application has been re-open for prosecution. Claims 1-13 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over by Muret et al (hereinafter, "Muret", U.S. Pat. No. 6,804,701) in view of Friedman et al (hereinafter, "Friedman", US Pub. No. 2003/0110293).

As per claim **1**, Muret discloses a method for generating web traffic reports comprising the steps of:

- storing a web page on a first server coupled to a wide area network, said web page including data mining code (col. 10, lines 52-67);
- uploading the web page to a visitor computer responsive to a request over the wide area network from the visitor computer, said visitor computer having a designated IP address (col. 5, lines 6-19);
- operating data mining code on the visitor computer to obtain technical data (col. 10, lines 52-67);

Art Unit: 2157

- receiving at a second server the technical data and the IP address of the visitor computer and generating a log file incorporating the technical data and IP address (col. 5, lines 6-19 , lines 61-67 and col. 6, lines 1-3);

However, Muret does not explicitly disclose:

- presetting IP filters;
- applying the IP filters the IP address stored in the log file; and
- generating a database file from the log file responsive to the IP filters.

Friedman discloses a geo-intelligent traffic reporter comprising:

- presetting IP filters (paragraphs 0133, 0182, 189-190 and 193);
- applying the IP filters the IP address stored in the log file (paragraphs 0133, 0182, 189-190 and 193); and
- generating a database file from the log file responsive to the IP filters (paragraphs 0133, 0182, 189-190 and 193).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate or implement Friedman's teachings of a profiler to gather information about specific addresses based on the Internet users' interactions with various website in order to allow web site owners to analyze their traffic and determine the general profile of users hitting the site in a timely and efficient manner.

As per claim 7, Muret discloses a network comprising:

- a visitor node having a browser program coupled to said network, said visitor node providing requests for information on said network (col. 5, lines 6-19);

- a web site node having a respective web site responsive to requests for information from said visitor node to provide media content and data mining code to said visitor node (col. 7, lines 1-18); and
- a tracking node including a log file and a database, said tracking node responsive to a communication from said visitor node based upon said data mining code to store visitor data obtained from said visitor node into said log file (col. 5, lines 6-19).

However, Muret does not explicitly disclose:

- a filter node responsive to said visitor data based on a filter to select said visitor data for storage in a database; and
- whereby said database is accessible by an owner of said web site node to view relevant traffic data to the web site node.

Friedman discloses a geo-intelligent traffic reporter comprising:

- a filter node responsive to said visitor data based on a filter to select said visitor data for storage in a database (paragraphs 0133, 0182, 189-190 and 193); and
- whereby said database is accessible by an owner of said web site node to view relevant traffic data to the web site node (paragraphs 0133, 0182, 189-190 and 193).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate or implement Friedman's teachings of a profiler to gather information about specific addresses based on the Internet users' interactions with various website in order to allow web site owners to analyze their traffic and determine the general profile of users hitting the site in a timely and efficient manner.

As per claim 2, Muret discloses:

Art Unit: 2157

- wherein the step of presetting IP filters includes setting an INCLUDE IP filter (col. 13, lines 20-29).

As per claim 3, Muret discloses:

- wherein the step of presetting IP filters includes setting an EXCLUDE IP filter (col. 13, lines 20-29).

As per claims 4 and 12, Muret disclose:

- the step of using classless inter-domain routing (col. 15, lines 54-64).

As per claims 5 and 13, Muret disclose:

- the step of using standard pattern matching specifications like Regular Expressions (col. 13, lines 20-29).

As per claims 6 and 11, Muret disclose:

- defining a subnet mask (col. 15, lines 26-32); and
- filtering the IP addresses using the subnet mask with a binary AND operator (col. 15, lines 54-64).

As per claim 8, Muret disclose:

- wherein said filter node selects said visitor data based on whether the visitor data is included within the filter (col. 7, lines 58-67 and col. 8, lines 1-3).

As per claim 9, Muret disclose:

- wherein said filter node selects said visitor data based on whether the visitor data is excluded from the filter (col. 7, lines 58-67 and col. 8, lines 1-3).

As per claim 10, Muret discloses:

- wherein said filter is an IP address filter (col. 7, lines 58-67 and col. 8, lines 1-3).

Response to Arguments

3. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ltj
July 18, 2006

LaShonda T Jacobs
Examiner
Art Unit 2157


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100